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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

HENRY GARCIA, On Behalf of Himself,  
 All Others Similarly Situated and the  
 General Public,

Plaintiff,

v.

SONY COMPUTER ENTERTAINMENT  
 AMERICA, LLC,

Defendant.

Case No.: 3:11-cv-02246-RS

CLASS ACTION

STIPULATION AND [PROPOSED] ORDER  
 SETTING BRIEFING SCHEDULE ON  
 DEFENDANT ACTIVISION'S MOTION TO  
 DISMISS

Judge: Richard Seeborg  
 Courtroom: 3, 17th Floor  
 Date Filed: May 6, 2011  
 Trial Date: TBD

BLOOD HURST &amp; O'REARDON, LLP

Counsel for defendant Activision Blizzard, Inc. ("Activision") and plaintiff Henry Garcia have conferred regarding a briefing schedule for Activision's motion to dismiss Mr. Garcia's Second Amended Complaint and have agreed that Mr. Garcia's opposition to Activision's motion to dismiss will be due on or before January 16, 2012, Activision's reply in support of its motion to dismiss will be due on or before February 2, 2012, and Activision's motion will be heard on February 16, 2012, at 1:30 p.m.

Whereas, the Court previously ordered, pursuant to the parties' stipulation, that Activision's response to the Second Amended Complaint is due on or before December 19, 2011. The parties have not previously requested a modification of the remaining briefing dates or deadlines.

Whereas, the two weeks plaintiff has to respond to Activision's motion to dismiss pursuant to Local Rule fall directly over the holidays (December 19, the day Activision's motion is due, to January 2, 2012, the day plaintiff's opposition is currently due according to Local Rule). Plaintiff seeks additional time to respond to accommodate counsel's holiday schedules.

Based on the foregoing and pursuant to Local Rule 6-1 of the Northern District of California, the parties, by and through their attorneys of record, hereby stipulate and agree that Mr. Garcia's opposition to Activision's motion to dismiss will be due on or before January 16, 2012, Activision's reply in support of its motion to dismiss will be due on or before February 2, 2012, and the hearing on Activision's motion will be held on February 16, 2012, at 1:30 p.m.

IT IS SO STIPULATED.

Dated: November 30, 2011

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Dated: November 30, 2011

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**ECF CERTIFICATION**

The filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to this document.

DATED: November 30, 2011

BLOOD HURST & O'REARDON, LLP

By: s/ Timothy G. Blood  
TIMOTHY G. BLOOD

BLOOD HURST & O'REARDON, LLP

~~[PROPOSED]~~ ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED:

Mr. Garcia shall file his opposition to Activision's motion to dismiss the Second Amended Complaint on or before January 16, 2012, Activision shall file its reply in support of its motion to dismiss on or before February 2, 2012, and the hearing on Activision's motion shall be held on February 16, 2012, at 1:30 p.m.

DATED: 12/1/11

By:



HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE

BLOOD HURST & O'REARDON, LLP

## CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed November 30, 2011.

*s/ Timothy G. Blood*

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